

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF NEW YORK

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SAWSAAN TABBAA, HASSAN SHIBLY,  
ASMAA ELSHINAWY, KAREMA ATASSI and  
GALEB RIZEK,

Plaintiffs,

v.

**ORDER**  
05-CV-582S

MICHAEL CHERTOFF, *Secretary of the United States Dep't of Homeland Security*, ROBERT C. BONNER, *Comm'r of the United States Customs and Border Protection*, MICHAEL D'AMBROSIO, *United States Customs and Border Protection* and JOSEPH J. WILSON, *Buffalo Port Director for the United States Customs and Border Protection*,

Defendants.

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1. Counsel for the parties appeared before this Court on October 12, 2005, at which time a discovery deadline and a schedule for post-discovery motions and briefing were set.

2. On October 17, 2005, Plaintiffs filed a Motion for Recusal.

3. On November 7, 2005, Plaintiffs filed a Motion to Compel Discovery and requested that their motion be considered on an expedited basis. Because Plaintiffs' counsel represented that courtesy copies of their motion would be delivered by overnight mail, this Court excused Plaintiffs from the hand-delivery requirement of Local Rule 7.1. However, the courtesy copies must not have been immediately sent by overnight mail because they were not received by this Court until November 14, 2005.

IT HEREBY IS ORDERED, that Plaintiffs' Motion for Recusal (Docket No. 40) is DENIED. A Decision and Order setting forth this Court's full decision will follow.

FURTHER, that Defendants shall file their response to Plaintiffs' Motion to Compel Discovery (Docket No. 41) on or before Friday, November 18, 2005.

FURTHER, that Plaintiffs shall file their reply, if any, on or before Monday, November 21, 2005.

FURTHER, that Plaintiffs' Motion to Compel Discovery will be taken under advisement unless this Court determines that oral argument is necessary.

FURTHER, that the discovery deadline and post-discovery motion dates are amended as follows:

Close of Discovery	November 23, 2005
Plaintiffs' Motion for Preliminary Injunction	November 28, 2005
Defendants' Motion to Dismiss or for Summary Judgment	November 28, 2005
Respective Submissions in Opposition	December 9, 2005
Respective Replies, if any	December 13, 2005

FURTHER, that counsel shall appear before this Court for oral argument on December 15, 2005, at 9:00 a.m. as previously scheduled.

SO ORDERED.

Dated: November 16, 2005  
Buffalo, New York

/s/William M. Skretny  
WILLIAM M. SKRETNY  
United States District Judge